

STATE OF ILLINOIS

ILLINOIS COMMERCE COMMISSION

CITY OF DES PLAINES, an Illinois
Municipal Corporation,

Petitioner,

V.

Docket No. T03-0102

UNION PACIFIC RAILROAD
COMPANY and WISCONSIN CENTRAL,
and ILLINOIS DEPARTMENT OF
TRANSPORTATION,

Respondent

NOTICE OF FILING

TO: See attached service list

PLEASE TAKE NOTICE that on October 20, 2005, I electronically filed the attached motion with the Illinois Commerce Commission, 527 E Capitol Springfield IL 62701

City of Des Plaines

by Paul N. Keller
Paul N. Keller
Counsel for Petitioner
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| CITY OF DES PLAINES, an Illinois |) | |
| Municipal Corporation, |) | |
| |) | |
| Petitioner, |) | |
| |) | |
| v. |) | Docket No. T03-0102 |
| |) | |
| UNION PACIFIC RAILROAD |) | |
| COMPANY and WISCONSIN CENTRAL, |) | |
| and ILLINOIS DEPARTMENT OF |) | |
| TRANSPORTATION, |) | |
| |) | |
| Respondents. |) | |
| |) | |
| |) | |

MOTION FOR CONTINUANCE

NOW COMES City of Des Plaines, Petitioner herein, by Ancel, Glink, Diamond, Bush, DiCianni & Rolek, P.C., one of its attorneys, and respectfully moves that this matter be continued, for the reasons set forth below.

1. Petitioner, City of Des Plaines is seeking an order directing the Respondents railroads to relocate the crossing of their tracks with Miner Street (Northwest Highway) in the City of Des Plaines.

2. This matter has heretofore been continued pending completion by Illinois Department of Transportation of an engineering study of the proposed project. That engineering report was received by Petitioner on Tuesday, October 19, 2005. The document comprises three large volumes consisting of complex engineering data, which will require careful study and analysis by Petitioner and Respondents. Petitioner, with the agreement of Respondents Wisconsin Central and Union Pacific, requests a continuance until early December, 2005, for determination of the status of this case.

WHEREFORE, Petitioner respectfully requests that the Commission enter an order continuing these proceedings until early December, 2005.

Respectfully submitted,

CITY OF DES PLAINES, an Illinois
municipal corporation,

By: Paul N. Keller
One of its attorneys

October 20, 2005

Paul N. Keller
Adam B. Simon
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CERTIFICATE OF SERVICE

I Paul N Keller, an attorney, certify that I served the foregoing on the person identified in the attached service list, by E-Docket, at 140 S Dearborn, Chicago IL, on October 20, 2005.

Paul N. Keller
Paul N Keller